

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**BESSEMER SYSTEM FEDERAL CREDIT )  
UNION, )**

Plaintiff, )

vs. )

**FISERV SOLUTIONS, LLC, FISERV )  
SOLUTIONS, INC., and FISERV, INC., )**

Defendants. )

Case No. 2:19-cv-00624-MJH

**DEFENDANTS' MOTION TO STRIKE PLAINTIFF'S JURY DEMAND**

Defendants Fiserv Solutions, LLC (f/k/a Fiserv Solutions, Inc.) and Fiserv, Inc. (together, "Defendants"), by and through their attorneys, respectfully move this Court for an order striking Plaintiff Bessemer System Federal Credit Union's ("Plaintiff") demand for trial by jury. In further support of this Motion, Defendants rely on the attached brief in support, the pleadings and exhibits on file, the Federal Rules of Civil Procedure, and the Local Rules of this Court. Defendants requested that Plaintiff withdraw its demand for trial by jury on September 3, 2019, but Plaintiff did not consent to the withdrawal.

Defendants believe the parties' agreement and controlling law unambiguously support the relief requested in this Motion. Nevertheless, Defendants anticipate Plaintiff's brief in opposition to this Motion will require a response from Defendants to clarify relevant issues and authority. Accordingly, Defendants respectfully request leave to file a reply brief in support of this Motion within seven (7) days of service of Plaintiff's response brief.

Dated: September 9, 2019.

Respectfully submitted,

/s/ **Timothy J. Patterson**

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Inc.*

**CERTIFICATE OF SERVICE**

I, Timothy J. Patterson, hereby certify that a copy of the foregoing Motion to Strike Plaintiff's Jury Demand was served on the following counsel of record for Plaintiff via the CM/ECF system this 9<sup>th</sup> day of September, 2019.

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